

Docket No.: 1293.1895

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ki-hyun KIM et al

Serial No. 10/670,779

Group Art Unit: 2133

Confirmation No. 4344

Filed: September 26, 2003

Examiner: Shelly A. Chase

For: LDPC DECODING APPARATUS AND METHOD

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Notice of Allowability mailed June 7, 2006.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

By way of example, on pages 2-3, item 4 of the Office Action, the Examiner asserts that

the prior art made of record, taken alone or in combination fails to teach or fairly suggest or render obvious the recited limitations spanning pages 2-3. However, the recited limitation is the specific language of only independent claim 1, and none of the other independent claims recite the same specific language. Independent claims 6, 12, 16, 23 and 24 recite different features, and thus are allowable based upon their own recited limitations as set forth therein.

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.


It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 9/6/06

By: 
Michael D. Stein
Registration No. 37,240

1400 Eye St., N.W., Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510